



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): A. Smith et al.

Serial No.: 10/765,235 ~~235~~ 223

Filed: January 26, 2004

Cust. No.: 33123

For: REFERENCE WAFER AND PROCESS  
FOR MANUFACTURING SAME

Examiner: Christopher G. Young

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37 CFR 1.8

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TRANSMITTAL LETTER

Commissioner for Patents  
US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This Reply is submitted in response to the *Notice of Non-Compliant Amendment* dated  
March 23, 2005. Applicant believes that no fees are due. However, should it be determined that  
a fee for filing these papers is required, the Commissioner is authorized to charge Deposit  
Account No. 50-1213, as stated below:

- [X] The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R.  
§§ 1.16-1.17 in connection with this paper or with this application during its entire pendency to  
Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
Heller Ehrman LLP

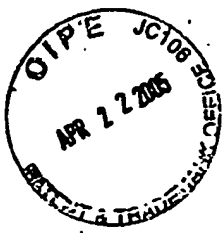
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REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents  
U.S. Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This Reply is in response to a Notice of Non-Compliant Amendment mailed on March 23, 2005 regarding a Preliminary Amendment that was filed on January 26, 2004 in the above-referenced matter. Because this Reply is filed within one month of the mailing of the Notice, Applicants request entry of the Preliminary Amendment in accordance with the corrections in this reply, and request examination of the application on the merits.

In the Notice of Non-Compliant Amendment, it was noted that the Preliminary Amendment section entitled "In the Specification" apparently did not indicate changes with strikethrough and underline. This Reply provides the section "In the Specification" with the changes indicated in strikethrough and underline, beginning at Page 3 of this document.

In the Notice of Non-Compliant Amendment, it was also noted that the Preliminary Amendment section entitled "Amendments to the Claims" unnecessarily

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**A. Smith et al.**  
**REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT**  
**Divisional Application Serial No. 10/765,233-223**

included the text of cancelled claims, and mis-numbered claims 39-41. This Reply provides the section "Amendments to the Claims" with a corrected listing of claims and proper numbering of the claims, beginning at page 4 of this document.

Any fees that may be due in connection with the filing of this paper, or during the entire pendency of this application, may be charged to Deposit Account No. 50-1213.

Respectfully submitted,  
Heller Ehrman LLP

By:   
Alan C. Gordon  
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